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June 14, 2024

**VIA ECF**

Honorable Brian M. Cogan  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

**Re: In re: Oral Phenylephrine Marketing and Sales Practices Litigation  
1:23-md-03089-BMC**

Dear Judge Cogan:

The undersigned write on behalf of the Plaintiff Executive Committee (“PEC”) and Defendants to jointly request an extension of time, from June 17, 2024 until August 1, 2024, to submit the parties’ proposed ESI and Protective Orders. As discussed during the recent case management conference, the parties still have a number of differences with respect to the ESI protocol.<sup>1</sup> However, with the Court having granted permission to commence Rule 26(f) conferences and for the parties to serve discovery demands, we anticipate that the additional information gleaned from such meetings will permit the parties to reach agreement on many (if not all) issues related to the proposed ESI order, thereby narrowing or eliminating the disputes for which we may need the Court’s guidance.

Accordingly, the parties respectfully request to move the due date for submission of agreed-to or competing ESI and Protective Orders to August 1, 2024, which will allow the parties to complete Rule 26(f) conferences and finalize our negotiations.

We thank the Court for its time and continued courtesies.

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<sup>1</sup> As noted during the conference, the parties are much closer to agreement on the Protective Order and anticipate we can make a submission in advance of an August 1, 2024 deadline.

Dated: June 14, 2024

Respectfully Submitted:

/s/ Michael A. London

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